

**SUPREME COURT MINUTES  
THURSDAY, MARCH 4, 1999  
SAN FRANCISCO, CALIFORNIA**

The Supreme Court of California reconvened in the courtroom of the Earl Warren Building, 350 McAllister Street, Fourth Floor, San Francisco, California, on March 4, 1999, at 9:00 a.m.

Present: Chief Justice Ronald M. George, presiding, and Associate Justices Mosk, Kennard, Baxter, Werdegarr, Chin, and Brown.

Officers present: Robert Wandruff, Clerk; Walter Grabowski and Harry Kinney, Bailiffs.

S049103      Temple Community Hospital, Petitioner

v.

Los Angeles County Superior Court, Respondent

Sandra Ramos, Real Party in Interest

Cause called. Robert M. Dato opened argument for Petitioner.

Harry W. R. Chamberlain, appearing for Amicus Curiae

American Insurance Association, continued argument for Petitioner.

Mr. Dato replied.

Christopher E. Angelo argued for Real Party in Interest.

Mr. Dato replied.

Cause submitted.

S063446      People, Respondent

v.

Isabel Morante, Appellant

Cause called. Kent J. Bullard, Deputy Attorney General, argued for Respondent.

William J. Kopeny argued for Appellant.

Mr. Bullard replied.

Cause submitted.

S070514 People, Respondent

v.

Norton Hering et al., Appellants

Cause called. Frederick B. Clark, Deputy Attorney General, argued for Respondent.

Roger S. Hanson argued for Appellant Fermin.

Dennis A. Fischer argued for Appellant Hering.

Mr. Clark replied.

Cause submitted.

Court recessed until 1:30 p.m. this date.

Court reconvened pursuant to recess.

Members of the Court and Officers present as first shown.

S040799 In re Michael Allen Hamilton

on

Habeas Corpus

Cause called. Katherine Hart argued for Petitioner.

Raymond Brosterhaus, Deputy Attorney General, argued for Respondent.

Ms. Hart replied.

Cause submitted.

S005970 People, Respondent

v.

Joseph William Hart, Appellant

Cause called. Philip H. Pennypacker opened argument for Appellant.

Richard P. Stookey continued argument for Appellant.

Pamela A. Ratner, Supervising Deputy Attorney General, argued for Respondent.

Mr. Pennypacker replied.

Cause submitted.

Court adjourned.

S060352 People, Plaintiff and Respondent

v.

Steven B. Lee, Defendant and Appellant

The judgment of the Court of Appeal is reversed.

Baxter, J.

We Concur:

George, C. J.

Chin, J.

Concurring Opinion by Brown, J.

Dissenting Opinion by Mosk, J.

I Concur:

Werdegar, J.

Dissenting Opinion by Kennard, J.

S067060 Kay Delaney, Plaintiff and Respondent

v.

Calvin Baker, Sr., et al., Defendant and Appellant

[T]he judgment of the Court of Appeal is affirmed.

Mosk, J.

We Concur:

George, C. J.

Baxter, J.

Kennard, J.

Werdegar, J.

Chin, J.

Concurring Opinion by Brown, J.

6th Dist. People, Respondent  
H018743 v.

Carlos McKenzie, Appellant

The time for granting or denying review on the court's own motion is hereby extended to and including April 5, 1999, or the date upon which review is either granted or denied. Rule 28(a)(1), California Rules of Court.

S015008 People, Respondent  
v.

Mark Lindsey Schmeck, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including April 27, 1999.

S037006 People, Respondent  
v.

Michael James Huggins, Appellant

On application of appellant and good cause appearing, it is ordered that the appellant is granted to and including May 4, 1999, to request correction of the record on appeal. Counsel for appellant is ordered to notify the Clerk of the Supreme Court in writing as soon as the act as to which the Court has granted an extension of time has been completed.

S070337 In re James L. Chapman  
on  
Habeas Corpus

On application of petitioner and good cause appearing, it is ordered that the time to serve and file petitioner's reply to the Attorney General's response is hereby extended to April 26, 1999.

S071934 Rosalba Cortez, Appellant  
v.

Purolator Air Filtration Products Company, Appellant

On application of amicus curiae United Services Automobile Association and good cause appearing, it is ordered that the time to serve and file its amicus curiae brief, not in support of either party, is extended to and including March 22, 1999.

An answer thereto may be served and filed by any party within twenty days from the filing of the brief.

S074851      Eric Cortez et al., Petitioners

v.

Pete Wilson etc., Respondent

On application of amicus curiae The Dehesa Valley Community Council, and good cause appearing, it is ordered that the time to serve and file its amicus curiae brief (party supported not mentioned) is extended to and including March 25, 1999.

An answer thereto may be served and filed by any party within twenty days of the filing of the brief.

Misc.            In the Matter of the Appointment of Judicial  
99-1           Members of the Commission on Judicial Performance

Pursuant to the provisions of article VI, section 8, subdivision (a), of the California Constitution, the following appointments are made to the Commission on Judicial Performance:

(1) The Honorable Rise Jones Pichon, Judge of the Santa Clara Superior Court, is appointed for a term ending February 28, 2003, to replace the Honorable Lois Haight whose term has expired.

(2) The Honorable Madeleine Flier, Judge of the Los Angeles Superior Court, is appointed for the term ending February 28, 2001, to fill the vacancy created when the Honorable Vincent McGraw became ineligible to hold the position.

Misc.            Code of Judicial Ethics  
99-2

Following a request by the Commission on Judicial Performance, the Supreme Court drafted, circulated for comment, and reviewed a proposed amendment to Canon 3D(3) of the Code of Judicial Ethics. After referring Canon 6D of the Code of Judicial Ethics to a special advisory committee, chaired by Administrative Presiding Justice Charles Vogel, of the Court of Appeal for the Second Appellate District, following a request for study by the California Judges Association and the State Bar of California, the court also considered the recommendations of the committee, circulated a revised version, and considered proposed amendments to the canon. The Supreme Court adopts the Code of Judicial Ethics pursuant to Article VI, section 18(m), of the California Constitution.

The Supreme Court having now considered the proposed amendments and the public comments received in relation thereto, hereby adopts an amendment to Canon 3D(3) and amendments to Canon 6D. The amended Canons are attached hereto, and are effective immediately.

